



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

ELP

Docket No. 7732-99

10 March 2000

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, United States Code, Section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you enlisted in the Naval Reserve on 30 April 1991 for eight years at age 21. You were ordered to active duty for a period of two years on 8 May 1991. The record reflects that you were advanced to SN (E-3) and were honorably released from active duty on 7 May 1993, transferred to the Naval Reserve, and assigned an RE-3R reenlistment code. You were honorably discharged upon completion of your obligated service on 29 April 1999.

Regulations provide that individuals separated in pay grade E-3 who have not met the professional growth criteria for first reenlistment, but are eligible in all other respects and recommended for reenlistment and advancement, will be assigned an RE-3R reenlistment code. Individuals separated with this code are eligible for a two-year reenlistment with the approval of the Chief of Naval Personnel.

After your release from active duty, the regulation was changed to allow for the assignment of an RE-7 reenlistment code to reservists completing an initial two-year active duty obligation under a 2X8 Naval Reserve Program. Since the assigned reenlistment code of RE-3R does not prevent reenlistment and you were treated no differently than others similarly released from active duty at the time, the Board could find no error or injustice in the assigned reenlistment code. The Board concluded that the reenlistment code was proper and no change is warranted. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director